IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

| MICHAEL HARDY, |) | |
|-------------------------|---|------------------|
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:08cv15-MHT |
| |) | (WO) |
| J. WALTER WOOD, JR., |) | |
| individually and in his |) | |
| official capacity as |) | |
| Executive Director of |) | |
| the Alabama Department |) | |
| of Youth Services, |) | |
| |) | |
| Defendant. |) | |
| | | |

It is ORDERED that the motion to strike plaintiff's affidavit (doc. no. 39) is denied.

ORDER

DONE, this the 30th day of October, 2008.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE